



RECEIVED

MAY 05 2010

WA State Department  
of Ecology (SWRO)

STATE OF WASHINGTON  
APPLICATION TO ENTER A WATER RIGHT INTO  
THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS **ONLY** TO BE USED FOR THE  
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☐ Lease  
☐ Purchase  
☒ Donation  
☐ Other

Explain: \_\_\_\_\_ Snow Creek \_\_\_\_\_

☐ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_\_date of app./\_\_\_\_2010\_\_\_\_  
END DATE \_5\_\_\_\_/\_1\_\_\_\_/\_2015\_\_\_\_

FOR OFFICE USE ONLY

FILE No. CS2-SWC2516 WRIA 17

DATE ACCEPTED 5/5/10 BY SC

FEE \$ \_\_\_\_\_ REC'D \_\_\_\_/\_\_\_\_/\_\_\_\_

CHECK No. \_\_\_\_\_

SEPA: ☐ Exempt ☐ Not exempt

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

**1. Applicant Information:**

APPLICANT/BUSINESS NAME WDFW attn: Jennifer Quan, Lands Division	PHONE NO. ( 360 ) 902-2508	FAX NO. ( )
ADDRESS 600 Capital Way N.		
CITY Olympia	STATE WA	ZIP CODE 98501

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO. ( )
ADDRESS		
CITY	STATE	ZIP CODE

**2. Water Right Information:**

WATER RIGHT OR CLAIM NUMBER S2-*05515ALCWRIS	RECORDED NAME(S) F. E. Knight
DO YOU OWN THE RIGHT? X YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? X YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES X <input type="checkbox"/> NO IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS SEE ATTACHED MEMO, MAP, AND CONSERVATION PLAN.	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY

WATER RIGHT NO. CS2-SWC2516 FILE (contract) NO. \_\_\_\_\_



3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s):	

WATER RIGHT DESCRIPTION \*

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Snow Creek	3		NW	23,24,25,26	29N	2W	902252013	

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	.15 cfs		

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
Instream flow 0.15 cfs	

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Portion of Donation Claim no. 40 in Sections 23, 24, 25, & 26, Township 29 North, Range 2 West, W M. Assessor's parcel 902234001.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
	NW	23,24,25,26	29.0N	02.0	Jefferson	902252013	15
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

\* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

**6. Place of Use (continued)**

**B. Proposed:**

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Trust water right for Instream Flow exclusively for fish maintenance, enhancement and preservation of environmental and aesthetic values in Snow Creek. Amount retained for irrigation: none

**7. Remarks and Other Relevant Information:**

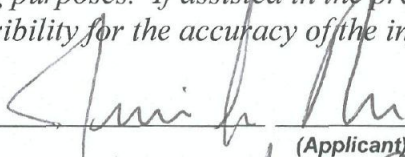
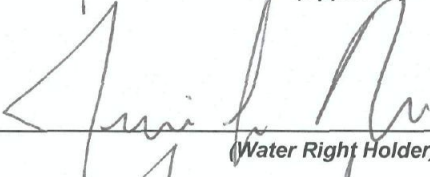
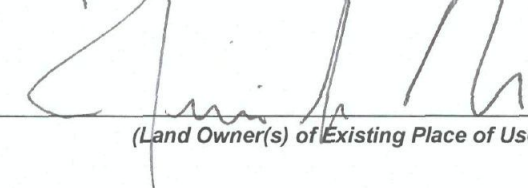
See attached.
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Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

**8. Signatures:**

*I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

 _____ (Applicant)	<u>5/4/2010</u> (Date)
 _____ (Water Right Holder)	<u>5/4/2010</u> (Date)
 _____ (Land Owner(s) of Existing Place of Use)	<u>5/4/2010</u> (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- ☐ ADDITIONAL SIGNATURES REQUIRED      ☐ SECTION \_\_\_\_\_ IS INCOMPLETE
- ☐ OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_



To: Department of Ecology Water Rights staff:

WDFW is requesting a temporary transfer (change) of Snow Creek water right S2-\*05515ALCWRIS to instream use for a five-year period beginning on the date of this application and ending May 1, 2015. The certificate, number 2516A, has a priority date of July 18, 1941 for the use of irrigation. The Qi is 0.15 CFS and irrigated acres on the certificate are listed as 15. The points of diversion and places of use are from Snow Creek in sections 23, 24, 25, and 26 of T29N, R2W, within the Jas. Tucker Donation Land Claim No. 40 (the parcel is at the junction of all four sections). This change application seeks to transfer the entire water right to be used exclusively for instream flows for fish maintenance, habitat enhancement, environmental, and aesthetic values in Snow Creek, as allowed under RCW Chaps. 90.03, 90.42, and 90.58.

The property was acquired by WDFW in January 2003. This 15 acres is part of a larger parcel that was acquired. The water right was used by the prior owners, Clifford and Danae Larrance, until acquisition of the property. No withdrawal took place in 2005 due to a statewide declared drought. Fish Program staff did not want to further negatively impact the creek by withdrawing water from it. A drought is sufficient cause for non-use under RCW 90.14.140 and we request this exemption.

In February and March of 2006, WDFW proposed that 29 acres of the Larrance property be placed into CREP (Conservation Reserve Enhancement Program). The area enrolled in CREP consisted of a 180-foot native plant riparian buffer on both sides of Snow and Salmon Creeks. As part of the Conservation plan, 20,000 trees and shrubs were planted on the property. During the summer maintenance seasons of 2006 and 2007, WDFW irrigated this planted riparian buffer as needed, utilizing this water right and another on Salmon Creek (S2-\*05516CWRIS). The summer of 2006 was extremely dry and field irrigation was necessary. WDFW utilized a gas-powered agricultural field pump consisting of an 8 HP motor that has a pumping capacity of 290 gpm (see attached photograph for type of pump). For irrigation purposes, WDFW reduced the outlet hose to four garden house sections that could be placed and moved from plant to plant continuously throughout the workday. Plantings were again irrigated in 2007. Since the plantings were more or less sustaining, no irrigation took place in 2008 and 2009.

WDFW does not have immediate plans for this water right and therefore would like to place it in temporary trust status for five years. If WDFW should desire to return the water to the prior beneficial use, we would request such action 30 days prior to doing so.

Attached is a copy of the Conservation Plan, a map showing the location of the point of diversion, and a picture of the type of pump used in 2006 and 2007.